

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Frank D. Husson, Jr.  
Title: SOLAR WATER HEATER AND  
PASTEURIZER  
Appl. No.: 10/039,277  
Filing Date: 1/4/2002  
Examiner: Carl D. Price  
Art Unit: 3749  
Confirmation Number: 1245

**RESUBMISSION OF PREVIOUSLY FILED REQUEST FOR REFUND**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: REFUND

Sir:

On May 17, 2005, Applicant filed a request for refund of \$510.00 for the duplicate petition for extension of time fee that was charged to deposit account No. 50-0872 in the above-identified application. This paper was received by the USPTO on May 17, 2005 as shown on the attached copy of facsimile confirmation sheet.

A routine status check of the application in Private PAIR on December 12, 2008, revealed that the document is not listed in the Image File Wrapper (IFW) for the application. A follow-up telephone conference with the USPTO's Finance Department also revealed that the request was never received by this department. In this regard, Applicant hereby resubmits

herewith the previously filed Request for Refund, and Applicant respectfully requests that a credit of \$510.00 be made to Deposit Account No. 19-0741.

In view of the foregoing, it is believed that no fee is required for filing this petition, but should a fee be required, the PTO is authorized to charge an appropriate fee for the filing of this petition to Deposit Account No. 19-0741.

Respectfully submitted,

Date 12/12/08

By Stephen E. Reiter

FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6711  
Facsimile: (858) 792-6773

Stephen E. Reiter  
Attorney for Applicant  
Registration No. 31,192

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Frank D. Husson, Jr.  
Title: SOLAR WATER HEATER AND  
PASTEURIZER  
Appl. No.: 10/039,277  
Filing Date: 01/04/2002  
Examiner: Carl D. Price  
Art Unit: 3749

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the  
United States Patent and Trademark Office, Alexandria, Virginia  
on the date below.

*Rachel Ann Caputo*

(Printed Name)

(Signature)

*May 17, 2005*

(Date of Deposit)

**REQUEST FOR REFUND**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Under 37 CFR §1.26(a), applicant hereby requests a refund of \$510.00 for the duplicate Extension for Response within Third Month fee that was charged to the deposit account in the above-identified application on March 29, 2005. Attached is a copy of the relevant pages of the Monthly Statement of Deposit Account for March 2005 for Deposit Account No. 50-0872, together with the response transmittal sheet indicating the request for Extension for Response.

On March 16, 2005, a Response to the Office Action dated September 16, 2004 was filed, along with a Notice of Appeal and a Request for Extension of Time for Response within Third Month. On March 17, 2005, Deposit Account No. 50-0872 was properly charged \$510.00 for the Request for Extension of Time for Response, and \$250.00 for the Notice of Appeal. However, on March 29, 2005, the same docket number and application serial number were improperly charged \$510.00 for a Request for Extension of Time for Response. The second charge is in error in view of the charges dated March 17, 2005. Therefore, Applicant respectfully requests that a credit of \$510.00 be made to Deposit Account No. 50-0872.

In re Application of  
Frank D. Husson, Jr.  
Application No. 10/039,277

Atty. Dkt. No. SOLAR1120-3  
(051264-0306)

In view of the foregoing, it is believed that no fee is required for filing this petition, but should a fee be required, the PTO is authorized to charge an appropriate fee for the filing of this petition to Deposit Account No. 50-0872.

Respectfully submitted,

Date

5/17/05

By



FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6711  
Facsimile: (858) 792-6773

Stephen E. Reiter  
Registration No. 31,192  
Attorney for Applicants

Atty. Dkt. No. SOLAR1120-3  
(051264-0306)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Frank D. Husson, Jr.  
Title: SOLAR WATER HEATER AND  
PASTEURIZER  
Appl. No.: 10/039,277  
Filing Date: 01/04/2002  
Examiner: Carl D. Price  
Art Unit: 3743

**CERTIFICATE OF FACSIMILE TRANSMISSION**  
I hereby certify that this paper is being facsimile transmitted to the  
United States Patent and Trademark Office, Alexandria, Virginia  
on the date below.

Rachel Anna Caputo

(Printed Name)

Rachel Anna Caputo

(Signature)

March 14, 2005

(Date of Deposit)

**AMENDMENT TRANSMITTAL**

**COPY**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[ X ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the  
total number of months checked below:

[ X ] Extension for response filed within the third month:	\$1,020.00	<u>\$1,020.00</u>
EXTENSION FEE TOTAL:		<u>\$1,020.00</u>
[ ] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	<u>\$0.00</u>
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		<u>\$1,020.00</u>
[ X ] Small Entity Fees Apply (subtract ½ of above):		<u>\$510.00</u>
TOTAL FEE:		<u>\$510.00</u>

[ X ] Notice of Appeal is enclosed.

[ X ] Please charge Deposit Account No. 50-0872 in the amount of \$510.00. A duplicate copy  
of this transmittal is enclosed.

In re Application of  
Frank D. Husson, Jr.  
Application No. 10/039,277

Atty. Dkt. No. SOLAR1120-3  
(051264-0306)

[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

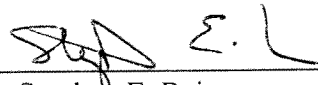
Respectfully submitted,

Date

3/14/05

FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6711  
Facsimile: (858) 792-6773

By

  
Stephen E. Reiter  
Registration No. 31,192  
Attorney for Applicants

**USPTO DEPOSIT ACCOUNT BREAKDOWN**  
**Corresponding to Invoice dated 3/31/2005**  
**Account #50-0872**

Date	Docket No.	Bill. Atty.	Serial No.	Charges	Credits	Fee Code	Description
3/16/2005	034827/4301	BSW	60/648377	200.00		1005	Provisional Application Filing Fee
3/16/2005	035394/0283	DPL	PCT/US05/07762	40.00		8007	Copy of Patent Application as Filed
3/16/2005	034827/4301	BSW	60/648377	50.00		1052	Surcharge - Late Provisional Filing Fee or Cover Sheet
3/16/2005	074066/0702	SER	11/078214	150.00		2011	Basic Filing Fee - Utility <b>filed on or after December 8, 2004</b>
3/16/2005	074066/0702	SER	11/078214	250.00		2111	Utility Search Fee
3/16/2005	074066/0702	SER	11/078214	100.00		2311	Utility Examination Fee
3/17/2005	041673/2063	SLT	09/517363	650.00		2202	Claims in Excess of 20
3/17/2005	041673/2063	SLT	09/517363	400.00		2201	Independent Claims in Excess of Three
3/17/2005	051264/0306	SER	10/039277	510.00		2253	Extension for Response within Third Month
3/17/2005	051264/0306	SER	10/039277	250.00		2401	Notice of Appeal
3/17/2005	071243/0248	SER	10/345031	1,020.00		1253	Extension for Response within Third Month
3/17/2005	071243/0248	SER	10/345031	130.00		1814	Statutory Disclaimer
3/17/2005	071243/0248	SER	10/345031	180.00		1806	Submission of an Information Disclosure Statement
3/17/2005	071949/9102	SER	11/080211	300.00		1011	Basic Filing Fee - Utility <b>filed on or after December 8, 2004</b>
3/17/2005	071949/9102	SER	11/080211	500.00		1111	Utility Search Fee
3/17/2005	071949/9102	SER	11/080211	200.00		1311	Utility Examination Fee
3/17/2005	310421/1260	GFS	PCT/US05/07906	216.00		1703	Supplemental International Filing Fee ( for each page over thirty)
3/17/2005	310421/1260	GFS	PCT/US05/07906	20.00		8007	Copy of Patent Application as Filed
3/18/2005	041673/3106	SLT	10/332306	65.00		2453	Petition to Revive Unintentionally Abandoned Application
3/18/2005	071344/0306	SER	09/491322	100.00		1811	Certificate of Correction
3/18/2005	073442/3502	RJW	11/022426	65.00		2051	Surcharge - Late Filing Fee or Oath or Declaration
3/18/2005	071949/9101	BSW	10/778919	1,400.00		1501	Utility Issue Fee
3/18/2005	071949/9101	BSW	10/778919	30.00		8001	Printed Copy of Patent w/o Color, Delivery by USPS, USPTO Box, or Elect. Means
3/18/2005	071949/7006	BSW	10/938760	790.00		1001	Basic Filing Fee - Utility <b>filed before December 8, 2004</b>
3/18/2005	071949/7006	BSW	10/938760	130.00		1051	Surcharge - Late Filing Fee or Oath or Declaration
3/18/2005	071949/7006	BSW	10/938760	500.00		1202	Claims in Excess of 20
3/18/2005	071949/5906	BSW	11/022552	40.00		8021	Recording each Patent Assignment, Agreement or Other Paper, per Property
3/18/2005	071949/5904	BSW	10/952275	40.00		8021	Recording each Patent Assignment, Agreement or Other Paper, per Property
3/18/2005	071949/0303	SKD	10/104585	20.00		8007	Copy of Patent Application as Filed
3/18/2005	034827/0705	BSW	10/759514	40.00		8021	Recording each Patent Assignment, Agreement or Other Paper, per Property
3/18/2005	048181/0107	MCBE	78/589776	325.00		7001	Application for Registration, per International Class (electronic filing)
3/18/2005	048181/0106	MCBE	78/589821	325.00		7001	Application for Registration, per International Class (electronic filing)
3/18/2005	323331/6355	MCBE	78/589912	975.00		7001	Application for Registration, per International Class (electronic filing)
3/21/2005	355908/3303	GFS	10/502149	40.00		8021	Recording each Patent Assignment, Agreement or Other Paper, per Property
3/21/2005	078986/0215	GFS	10/873749	20.00		8007	Copy of Patent Application as Filed

**USPTO DEPOSIT ACCOUNT BREAKDOWN**  
**Corresponding to Invoice dated 3/31/2005**  
**Account #50-0872**

Date	Docket No.	Bill. Atty.	Serial No.	Charges	Credits	Fee Code	Description
3/25/2005	071949/5906	RJW	11/022552	500.00		1111	Utility Search Fee
3/25/2005	071949/5906	RJW	11/022552	250.00		1081	Utility Application Size Fee - For Each Additional 50 Sheets
3/25/2005	047711/0314	TRR	10/368242	300.00		1202	Claims in Excess of 20
3/25/2005	071949/5906	BSW	11/022552	100.00		1202	Claims in Excess of 20
3/25/2005	047711/0314	TRR	10/369242	400.00		1201	Independent Claims in Excess of Three
3/25/2005	071949/5906	BSW	11/022552	130.00		1051	Surcharge - Late Filing Fee or Oath or Declaration
3/28/2005	041673/2110	SLT	10/381956	60.00		2251	Extension for Response within First Month
3/28/2005	033946/0801	BSW	10/859689	50.00		1202	Claims in Excess of 20
3/28/2005	033946/0801	BSW	10/859689	120.00		1251	Extension for Response within First Month
3/28/2005	071949/2508	BSW	10/746282	790.00		1001	Basic Filing Fee - Utility <b>filed before December 8, 2004</b>
3/28/2005	071949/2508	BSW	10/746282	130.00		1051	Surcharge - Late Filing Fee or Oath or Declaration
3/28/2005	052896/8010	MCBE	78/595527	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8011	MCBE	78/595542	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8015	MCBE	78/595551	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8016	MCBE	78/595563	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8006	MCBE	78/595569	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8009	MCBE	78/595574	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8007	MCBE	78/595579	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8021	MCBE	78/595581	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8008	MCBE	78/595591	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8022	MCBE	78/595592	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8023	MCBE	78/595600	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8025	MCBE	78/595642	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8026	MCBE	78/595643	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8027	MCBE	78/595644	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8018	MCBE	78/595646	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8020	MCBE	78/595649	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8024	MCBE	78/595652	325.00		7001	Application for Registration, per International Class (electronic filing)
3/29/2005	051264/0306	SER	10/039277	510.00		2253	Extension for Response within Third Month
3/29/2005	039363/1702	RJW	10/941635	40.00		8021	Recording each Patent Assignment, Agreement or Other Paper, per Property
3/30/2005	041673/2094	SLT	10/154759	100.00		2201	Independent Claims in Excess of Three
3/30/2005	041673/2092	SLT	10/006305	100.00		2201	Independent Claims in Excess of Three
3/31/2005	048431/0301	SLT	10/954627	40.00		8021	Recording each Patent Assignment, Agreement or Other Paper, per Property
3/31/2005	048431/0301	SLT	10/954627	40.00		8021	Recording each Patent Assignment, Agreement or Other Paper, per Property



\* \* \* COMMUNICATION RESULT REPORT ( MAY. 17. 2005 4:56PM ) \* \* \*

FAX HEADER 1: FOLEY 8587926773  
FAX HEADER 2: FOLEY 8587926773TRANSMITTED/STORED : MAY. 17. 2005 4:53PM  
FILE MODE OPTION

ADDRESS

RESULT

PAGE

2782 MEMORY TX

G3-2 :

USPTO

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7/7

REASON FOR ERROR

E 1) HANG UP OR LINE FAIL  
E 3) NO ANSWER

E 2) BUSY

E 4) NO FACSIMILE CONNECTION

**FOLEY****FOLEY & LARDNER LLP  
ATTORNEYS AT LAW**11250 EL CAMINO REAL, SUITE 200  
SAN DIEGO, CA 92130  
P.O. BOX 80278  
SAN DIEGO, CA 92138-0278  
TELEPHONE: 858.847.6700  
FACSIMILE: 858.792.6773  
WWW.FOLEY.COM**FACSIMILE TRANSMISSION****Total # of Pages 7 (including this page)**

TO:	PHONE #:	FAX #:
Examiner Carl D. Price Group Art Unit 3749 U.S. Patent and Trademark Office	571- 571-272-4880	703-872-9306

From : Stephen E. Reiter

Email Address : [sreiter@foley.com](mailto:sreiter@foley.com) *MRJA*

Sender's Direct Dial : 858.847.6711

Date : May 17, 2005

Client/Matter No : 051264-0306 (SOLAR1120-3)

User ID No : 9055

**MESSAGE:**

U.S. Patent Application No. 10/039,277

Following is:

- 1) Request for Refund (with copy of Amendment Transmittal filed March 14, 2005,  
and copy of Deposit Account Breakdown for Account No. 50-0872.

If there are any problems with this transmission or if you have not  
received all of the pages, please call 858.847.6700.

Operator:

Time Sent:

Return Original To:  
Rachel Caputo

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